UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

ROBERT CLARK, : Civil Action No. 02-246(JEI)

Plaintiff

v. : ORDER OF DISMISSAL

BURGER KING, ET AL.,

Defendant :

It having been reported to the Court that the above-captioned action has been settled, and that the request for an order of dismissal is not based on a desire to adjourn or delay the proceedings herein;

IT IS on this 3rd day of March, 2004,

ORDERED THAT:

- (1) This action is hereby DISMISSED without cost and without prejudice to the right, upon motion and good cause shown, within 60 days, to reopen this action if the settlement is not consummated; and
- (2) If any party shall move to set aside this Order of Dismissal as provided in the first decretal paragraph or pursuant to the provisions of Fed. R. Civ. P. 60(b), in deciding such motion the Court retains jurisdiction of the matter to the extent necessary to enforce the terms and conditions of any settlement entered into between the parties.

HON, JOSEPH E, IRENAS, SUSDJ